

Court of Appeals, State of Michigan

ORDER

Randy Appleton v Westfield Insurance Company

Docket No. 260875

LC No. 02-000814-NZ

Jane E. Markey
Presiding Judge

William B. Murphy

Joel P. Hoekstra
Judges

The Court orders that the motion for immediate consideration is GRANTED. The Court further orders that the motion for leave to file a late answer to the motion for reconsideration is GRANTED and the answer filed with the motion is accepted for docketing.

The motion for reconsideration is GRANTED, and this Court's order of June 29, 2005 is VACATED. The application for leave to appeal is GRANTED, limited to the issues raised in the application. MCR 7.205(D)(4). This matter is placed on the SUMMARY DISPOSITION TRACK. Administrative Order 2004-5. A motion to remove from the summary disposition track must be filed within seven days of the certification of this order. Administrative Order 2004-5, ¶ 7 (A). Appellant's brief shall be filed 28 days from the certification of this order. Administrative Order 2004-5, ¶ 9 (B)(1).

Judge Murphy would grant the motion for immediate consideration and grant the motion for late answer but would deny the motion for reconsideration of this Court's prior order to deny leave.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

SEP 02 2005

Date

Sandra Schultz Mengel
Chief Clerk